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DRAFT COMPATIBILITY DETERMINATION

Use: Hunting

Refuge Name: Horicon National Wildlife Refuge, Dodge and Fond du Lac Counties, WI

Establishing and Acquisition Authorities: Migratory Bird Conservation Act of 1929

Refuge Purpose(s):

“...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds...” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? The use is the hunting of game as an activity conducted by the general public under regulation authority of the National Wildlife Refuge System Improvement Act and the National Wildlife Refuge System. The Horicon Refuge is currently open annually to squirrel, pheasant, partridge, rabbit, and white-tailed deer hunting during State seasons. All hunting has traditionally ended on the last day of the November nine-day deer gun season, with the exception of the December deer gun T-Zone which is a special hunt offered by the State in some years. No waterfowl hunting has been allowed on the Refuge except for a supervised youth hunt each year.

Upon revision of the Refuge Hunt Plan, the Refuge proposes to allow squirrel, pheasant, partridge, rabbit, and white-tailed deer hunting to follow the entire State seasons. In other words, hunting for those species would not end on the last day of the nine-day deer gun season. Squirrel, pheasant, partridge and rabbit would continue through the end of the season as set by the State. Likewise, deer hunting would continue through the year to include the muzzleloader season and the late archery season. In addition to these changes, Refuge staff has proposed to have a delayed opening for all hunting in designated wetland areas to protect migratory birds.

Opportunities for hunters with disabilities and youth are also currently offered on the Refuge. Hunters with disabilities can participate in two separate gun hunts on an 800 acre area of the Refuge, which includes accessible blinds; and youth hunters can participate in a special area reserved for pheasant hunting and in a supervised duck hunt. Several areas are closed to all hunting as well. Upon revision of the Refuge Hunt Plan, these closed and restricted areas will be evaluated for possible changes.

Upon revision of the Refuge Hunt Plan, the Refuge proposes to allow a limited turkey hunt in the spring. Only early, selected periods would be open for turkey hunting so as to not conflict with nesting birds.

The Refuge has a large population of deer, as evidenced by browse lines and other deer sign. By allowing deer hunting, the deer population is kept in balance, deer/car collisions are reduced on the adjacent roads, and many people enjoy the opportunity to hunt on public land. In addition, deer hunting allows the Refuge to achieve the deer population goals set by the Wisconsin Department of Natural Resources. Reaching these goals is critical due to the presence of chronic wasting disease (CWD) in deer within the State.

Where is the use conducted? Deer hunting by the general public will be conducted under a hunting management program. Hunting activities will be planned and operated with the Refuge’s primary objectives, habitat management requirements, huntable population surpluses, and safety as the guiding principals. Designated hunting areas will be evaluated and identified within the hunt management plan.

In general, hunter access is provided on most of the Refuge. A few areas on the Refuge are closed to all hunting or at certain times of the year.

How is the use conducted? Hunting will be conducted under state and refuge-specific federal regulations. Hunting activities are intended to meet the National Wildlife Refuge System Improvement Act and some of the Refuge objectives and management goals without adversely affecting the primary objectives and mission of the refuge.

Completing this activity under a hunting plan allows the refuge to accomplish its management goals and provide needed safety levels for citizens of the area

without adversely affecting refuge habitats and wildlife populations.

When would the use be conducted? The hunting seasons would follow State seasons with the exception of the delayed opening in designated wetland areas to protect migratory birds. Generally, squirrel hunting begins in mid-September and continues until the end of January. Partridge, rabbit and pheasant season begins in mid-October. Partridge and pheasant season ends at the end of December, with rabbit season continuing until the end of February.

The deer archery season begins in mid-September and continues until the deer gun hunt, which has traditionally been held every year during the nine days of Thanksgiving week (Saturday to Sunday). In some years, the State has also established T-Zone or Earn-a-Buck areas where hunters can use a gun to shoot an antlerless deer. These 4-day seasons are held at the end of October and beginning of December. In addition, a muzzleloader season and late archery season is held in December after the traditional nine-day deer gun season. Deer hunting usually ends at the beginning of January.

The proposed spring turkey season on the refuge would be limited to a permit hunt during the early periods.

The supervised youth duck hunt is held every year on three weekend days, which are set by Refuge staff. The selected days are during the waterfowl season, usually in October. The youth pheasant hunt would follow the State season.

The hunt for hunters with disabilities is offered during the traditional nine-day deer gun season. In addition, the State has established an extra gun season for hunters with disabilities on designated areas. The Refuge has participated in this hunt since 2000, which is held for nine days in the beginning of October. This same designated area on the Refuge is open for deer hunting to everyone during the State's special T-Zone and Earn-a-Buck hunts. It is otherwise closed to all hunting.

Details about when, where and how the new hunts are conducted will be defined in the updated hunt management plan. All hunting activities follow applicable state laws, except where the Refuge administers further restrictions to ensure a quality hunt and visitor and staff safety. Hunting activities can only occur in designated areas listed in the hunt management plan.

Availability of Resources:

Approximately \$25,000 of staff time will be required to administer and manage these activities. Most of the cost involves law enforcement, with Refuge officer patrolling the Refuge and issuing notice of violations and warnings. Other staff will participate in outreach efforts by issuing news releases, managing the special hunts, and providing hunter orientations. Some of the costs are offset by the Recreational Fee Program. The hunt for hunters with disabilities is part of this program where each hunter is required to pay \$10.00.

In addition, overhead expenses including signs, maps, parking lot and road maintenance is estimated to be about \$7,000.

Anticipated Impacts of the Use:

The hunters cause some disturbance to wildlife, but the disturbance is minor and short term. Disturbance to migratory birds in the wetland areas can be a major impact since any flushing depletes the birds' energy reserves needed for the flight south. Because most of the hunting occurs in the fall and winter, nesting animals are not disturbed. Disturbance to nesting animals in the spring from turkey hunters will be minimized by restricting the time periods for turkey hunting to the early periods. During the deer gun hunting seasons which attracts the largest number of hunters, most of the migrating waterfowl have left the Refuge. The exception to this rule is when the State offers an October gun T-Zone hunt. Disturbance to waterfowl can be alleviated by closing sensitive areas on the Refuge to this particular hunt.

The few unethical hunters who leave unsightly gut piles in inappropriate places has caused problems in the past. Illegal use of permanent or overnight tree stands, which is common, is an impact when it results in permanent damage to the tree and results in staff time removing the stands. Litter is also a problem, especially with spent shotgun shells during the deer gun season. Illegal use of toxic shot impacts birds who ingest it.

Impact to the vegetation is minimal and temporary. Vehicles are only permitted on certain roads and mowed paths.

Another impact is the killing of animals, which can be perceived as a negative impact by some people.

User groups have conflicted in the past when the deer gun hunting is open within the auto tour and

hiking trail complex. Visitors who hike are required to wear blaze orange clothing. Posted signs have not necessarily deterred visitors. Usually visitation is low during this time. However, problems have especially arisen when the weather is atypically warm.

User groups have also conflicted within the area set aside for hunters with disabilities. Since 1994, a 600-acre area around the office/visitor center was set aside for hunters with disabilities during the regular nine-day deer gun season at the end of November. This area had previously been closed to all hunting. The area was also opened at that time to archery hunters, through a permit system. This same area has also been open since 2000 for an early, nine-day gun hunt that the State offers to hunters with disabilities every October. In 2003, in order to improve success for the hunters with disabilities, the area was expanded to 880 acres and the archery hunting was eliminated. Problems arose in 2003 with the implementation of these changes since many hunters felt that "their area" was taken from them and they were excluded. The conflict was alleviated for some hunters when the area was open to everyone during the special gun T-Zone and Earn-a-Buck hunts. Access for walking for everyone on one of the dikes also helped.

Hunting on the Refuge follows all applicable laws, regulations and policies; including, 50 CFR, National Wildlife Refuge System Manual, National Wildlife Refuge System goals and objectives, and Horicon NWR goals and objectives. This activity is also compliant with the purpose of the Refuge and the National Wildlife Refuge System Mission. Operating this activity does not alter the refuge's ability to meet habitat goals, provides for the safety of the area's citizens, and supports several of the primary objectives of the Refuge.

Public Review and Comment:

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the Federal Register and available for public review.

Determination:

- ☐ Use is not compatible
- ☒ Use is compatible with the following stipulations

Stipulations necessary to ensure compatibility:

To ensure compatibility with National Wildlife Refuge System and Horicon NWR goals and objectives the activity can only occur under the following stipulations:

1. All State hunting regulations will apply to hunting on the Refuge unless otherwise stated in the Refuge Hunt Plan.
2. All hunting activities and operations will be reviewed annually to ensure compliance with all applicable laws, regulations, and policies.

Justification:

This use has been determined compatible provided the above stipulations are implemented. This use is being permitted as it is a priority public use and will not diminish the primary purposes of the refuge. This use will meet the mission of the NWRs by providing renewable resources for the benefit of the American public while conserving fish, wildlife and plant resources on these lands.

Without a hunting program specifically used as a management tool, the refuge deer population may adversely affect plant communities, and hence alter ecological diversity and succession. This may result in significant negative impacts on both plant and other animal communities including some of special concern or of Service trust responsibility. This impact has been well documented and accepted through research over a period of many years.

In addition, a deer hunting program is necessary to ensure that the Wisconsin Department of Natural Resources deer populations goals are met, especially in controlling the spread of chronic wasting disease within the State's deer population.

Hunting is a recreational opportunity that will provide much enjoyment to the people who are in need of a place to hunt. In addition, the special hunts for youth and hunters with disabilities provide a controlled and quality hunting experience.

Signature: Refuge Manager: _____

(Signature and date)

Concurrence: Regional Chief: _____

(Signature and date)

Mandatory 10 or 15 year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Firewood Cutting/Timber Harvest

Refuge Name: Horicon National Wildlife Refuge, Dodge and Fond du Lac Counties, WI

Establishing and Acquisition Authorities: Migratory Bird Conservation Act of 1929

Refuge Purpose(s):

“...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds...” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? The use is the removal of standing or fallen trees by private individuals on the Horicon Refuge. This use covers all wood removal activities regardless of the ultimate use of the wood (e.g. firewood, pulp, etc.).

Where is the use conducted? The scope of the activity will be determined by the management objective for the area and by the quantity and quality of available wood. Harvest sites will vary in size from year to year depending on the site and management objectives.

When is the use conducted? Most of the cutting and wood removal will occur from late summer until late winter, after the nesting season and when the ground is very dry or frozen in order to reduce habitat disturbance. All work will be conducted during daylight hours only.

How is the use conducted? Equipment used for harvest may range from chainsaws and axes, to traditional logging equipment such as feller-bunchers and log skidders. Access may be by car and trailer, pick-up truck, farm tractor, or larger traditional logging equipment. Differences in scope and necessary equipment will occur depending on the amount and type of wood available for removal.

Why is this use being proposed? This activity will only occur where the Service has determined that a management need exists to remove wood. Wood removal may be done where trees are encroaching on the open marshes or dikes, grassland areas, oak/savannah restoration areas, or removal of fence lines. Wood cutting is not a priority public use, as defined by the Refuge Improvement Act of 1997, of the National Wildlife Refuge System.

Availability of Resources:

Planning, issuing permits, and monitoring a wood product harvest program would require some commitment of staff hours. In the past, the Refuge has issued approximately 25 permits annually for this activity. All harvest sites are marked with flagging tape by Refuge staff. Based on past activity, we estimate that administering a small timber harvest program will require about \$5,000 in staff salary costs. Staff time is actually saved by having a wood product harvest program since private individuals will be cutting the trees in many cases instead of staff. Some of these costs will be offset by a \$25 permit issue fee charged to fire wood permittees. By permitting a wood products harvest, the manager has identified a management need and will have secured and prioritized the necessary station resources.

Anticipated Impacts of the Use:

The removal of woody vegetation from historic grassland or sedge habitats positively impacts waterfowl production and the System mission by increasing the amount of nesting habitat and reducing predator habitat. Grassland birds will also be increased by having larger grassland fields without fencelines or encroaching woody vegetation.

Removal of larger trees in grasslands and marsh habitat reduces the fuel and risk factors during prescribed burns.

Some short-term disturbance to wildlife may occur during wood cutting activities, but will be insignificant since most of the work will be conducted after the nesting season or during the winter when most species are not present.

Access for the purpose of removing wood may impact habitat by rutting soils, destroying ground cover, creating weed seed beds, introducing invasive species, and increasing sedimentation due to runoff

in nearby wetlands. These impacts can again be avoided by timing of the activity and requiring equipment be cleaned prior to entering the refuge.

Public Review and Comment:

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the Federal Register and available for public review.

Determination:

- _____ Use is not compatible
- X Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

1. No cutting operations will be permitted from April through July 15 if nesting birds are known to use the site.
2. Standing cavity trees which are actively being used by wildlife will be marked and protected.
3. Vehicle access for wood removal will be limited to existing trails or restricted to the frozen ground period when rutting and damage to growing vegetation would occur.
4. A special use permit will be issued so that site specific impacts can be reduced or eliminated and Service management goals are met.
5. Commercial equipment must be cleaned prior to entering refuge.

Justification:

The removal of dead trees reduces litter buildup and the severity of potential wildfires. Openings created by woodcutting allow light to penetrate and stimulate the understory growth which increases browse production and woodland diversity. Any direct impacts on wildlife production (take, disturbance, etc.) can be largely avoided by timing the activity so that it does not coincide with the breeding/production season.

Impacts to the habitat as a result of access for wood removal purposes are potentially significant, but also easily avoided. Ground disturbance in some areas may actually be desirable due to an improved seedbed that may result. Access to and from these areas will need to be carefully controlled (via special use permit) to avoid impacts such as rutting and increased sedimentation in area wetlands due to run-off. If existing roads are not present, access can be

restricted to periods of frozen ground to avoid or minimize impacts to underlying vegetation and soils.

Other indirect impacts are generally considered positive and thus do not materially interfere with or detract from the purpose of the Refuge or the System mission. The removal of trees at strategic locations will benefit waterfowl production by assisting with the restoration of grassland habitat and eliminating predator habitat and perch sites.

Individuals participating in the wood harvest program will be under special use permit and thus site specific stipulations will ensure resource protection and achievement of management goals. Control of woody species encroachment on wetland and grassland habitats is a necessary management activity and directly supports the mission of the National Wildlife Refuge System.

Signature: Refuge Manager: _____

(Signature and date)

Concurrence: Regional Chief: _____

(Signature and date)

Mandatory 10- or 15-year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Trapping of Furbearers

Refuge Name: Horicon National Wildlife Refuge, Dodge and Fond du Lac Counties, WI

Establishing and Acquisition Authorities: Migratory Bird Conservation Act of 1929

Refuge Purpose(s):

“...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds...” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? Trapping of resident furbearers on the refuge in accordance with State and refuge regulations. A variety of furbearer species have been traditionally trapped on the refuge: muskrat, mink, raccoon, opossum, red fox, skunk, coyote, and weasel. These species cause problems for the Refuge because the upland predators prey on the ground nesting birds and the muskrat cause damage to the dikes. The number of interested trappers has steadily declined over the years, primarily due to low fur prices and low number of muskrats available. Therefore, interest in the trapping program has been primarily recreational in recent years.

Trapping is not a priority public use, as defined by the Refuge Improvement Act of 1997, of the National Wildlife Refuge System. Each year, the trapping program is reviewed by Refuge staff. Opening a marsh unit to trapping is based on the muskrat population and the need for muskrats within that unit. For example, muskrats may be needed in a marsh unit that is choked with cattail in order to open it up. Dike and upland units are usually available each year to help reduce the dike damage and decrease the predator population. Upon review by Refuge staff, an annual trapping plan is written for the year.

Where is the use conducted? The Refuge is divided into twenty-one marsh units, six dike units, and two upland units. The units are sold through an open auction held each September. However, since the 2000/2001 trapping season, no marsh units have been offered due to low muskrat numbers, which plummeted after a planned draw down of the main pool. Upon approval of the CCP and revision of the trapping plan, the division of trapping units may be changed, especially regarding upland units so that more trappers can trap more predators.

How is the use conducted? Approved traps include leghold traps with jaw spread greater than 5 ½ inch and of the “off-set-jaw” type (jaws with an opening of not less than 3/16” when closed.) Steel leghold traps having teeth, spiked, or serrated jaws (either attached or as part of the trap) are prohibited. No killer traps of the conibear greater than 6” x 6” or 6” in diameter and no floating traps are allowed.

ATVs and vehicles are permitted on interior dikes and over ice. Boats with 20 horsepower or less are permitted on the water. Usually the trappers are trapping under the ice, so open water is not an issue. Airboats and snowmobiles are not allowed.

When would the use be conducted? The trapping season typically runs from late October through the middle of March.

Availability of Resources:

Administrative costs of managing the program amounts to about \$3,000 each year. Currently, each unit that is sold requires a minimum bid of \$25, but the minimum bid may have to be eliminated in order to increase trapper interest especially if a reduction in predators is desired. A portion of these funds are returned to the station.

Anticipated Impacts of the Use:

Because of the temporal separation of trapping activities and waterfowl using the refuge for production, there are no direct impacts to waterfowl production. The trappers cause some disturbance to wildlife, but the disturbance is minor and short term. Occasional mortality to non-target species has also been a concern, especially when it is a trust species such as a migratory bird.

Any habitat change as a result of the physical impacts of trapping activity (trampling, etc.) is

undetectable and insignificant. Damage to Refuge dikes and roads by vehicles or ATVs when the roads are soft has also been a concern.

Indirect impacts to wildlife production do result from the removal of animals under a trapping program. In many instances, these impacts are positive. Many species which may be trapped are predators on waterfowl at various stages in the production cycle. Controlling populations of predators on waterfowl has generally positive impacts on the refuge purpose.

Managing muskrat populations at reasonable levels through a trapping program results in positive impacts to waterfowl and other aquatic wildlife species. Over abundance of muskrats in particular can lead to an excessive loss in emergent vegetation. This phenomenon is known as an "eat out" of a wetland impoundment. However, muskrats do provide a valuable service by providing open water areas in heavily vegetated impoundments. The goal of a trapping program is to control but not eliminate muskrats from the ecosystem as healthy populations are needed. Muskrat burrowing can also damage the dike infrastructure on the refuge.

Conflicts between other users of the Refuge, such as hunters and hikers (depending on the trapping unit) during trapping season could also be a concern.

Public Review and Comment:

Open houses were held and written comments were solicited from the public about refuge operations during the drafting of the Comprehensive Conservation Plan. This Compatibility Determination was prepared concurrently with, and included in the Draft Comprehensive Conservation Plan. Public review and comment will be solicited during the CCP comment period.

Determination:

- ☐ Use is not compatible
- ☒ Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

1. Trapping activity must be conducted in compliance with existing State regulations.
2. Trappers must comply with existing refuge access and use regulations.
3. Allow only one trapper and helper per unit and require each trapper to attend a pre-trapping meeting with refuge staff.

Justification:

Trapping is an important management tool that the Refuge utilizes in the water management program. Muskrats are an integral part of the marsh ecosystem, creating the hemi-marsh conditions of a 50:50 ratio of open water to vegetation. Each year, the Refuge staff evaluated each marsh unit. Vegetation is measured and mapped. Based on these figures, staff decides the need for muskrats in each unit. The last several years the muskrat population has been low, therefore marsh units have been closed to trapping. Generally, dike trapping and upland trapping are allowed each year. However, in 2005 trapping was not offered due to a noticeable decline in trapper interest and effort the previous year.

Trapping the muskrats at the toe of the dikes alleviates the dike damage that the muskrats cause. Upland trapping helps reduce the predators which eat eggs and/or kill ground nesting birds including waterfowl.

Trapping also offers a recreational and economic activity for many people. Horicon Marsh has been traditionally known for the high quality muskrat pelts produced. Although trapping interest has declined over the years, along with the price of the pelts, many people continue to enjoy the activity, often passing it on to the next generation.

The trapping program is coordinated with other forms of wildlife oriented public use on the Refuge to ensure minimal conflict with non-consumptive users. In addition, several areas of the Refuge are closed or restricted to trapping.

The program is monitored and evaluated yearly so that the seasons, species, areas of the Refuge, and other aspects of the program are carefully planned with population numbers in mind. Refuge staff also coordinate with the Wisconsin Department of Natural Resources, hosting the public auction together.

The trapping program, as managed, does not materially interfere with or detract from the Service's ability to meet refuge purposes or the mission of the National Wildlife Refuge System.

Signature: Refuge Manager: _____

(Signature and date)

Concurrence: Regional Chief: _____

(Signature and date)

Mandatory 10 or 15 year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Environmental Education and Interpretation

Refuge Name: Horicon National Wildlife Refuge, Dodge and Fond du Lac Counties, WI

Establishing and Acquisition Authorities: Migratory Bird Conservation Act of 1929

Refuge Purpose(s):

“...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds...” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? Environmental education consists of public outreach and onsite activities conducted by refuge staff, volunteers, teachers, and university professors. Interpretation occurs in less formal activities with refuge staff and volunteers or through exhibits, signs, and brochures.

Where is the use conducted? Environmental education and interpretation are carried out within the Office and Visitor Center and Environmental Education Barn, and outside at both locations. No trails currently exist at the office/visitor center site. The Barn has a short trail that leads to a observation platform on the water's edge. The refuge's two Hiking Trails Areas (Highway 49 Complex and the Bud Cook Hiking Trail Complex) and the Viewing Area are also used for environmental education and interpretation. Environmental education and interpretation is also conducted off-site by Refuge staff and volunteers, usually at the schools. A few programs for organizations or clubs are presented at a meeting place or restaurant. Occasionally the Refuge displays a booth or exhibit a major event, such as the Milwaukee Sports Show, Mayville Audubon Days, Ducks Unlimited events or other similar events that reach a diverse and large audience.

When is the use conducted? The uses can occur throughout the year. For the general public, they occur mostly in the spring, summer and fall. For students, they occur during the school year, though not generally in the middle of winter. Most programs are conducted during daylight hours, with a few indoor programs conducted in the evening. Occasionally an outdoor program is conducted after dark, for example a nature hike where participants listen for night time wildlife sounds.

How is the use conducted? All environmental education and interpretation activities are conducted with the refuge's primary goals, objectives, and habitat management requirements as the guiding principles. Activities done under these restrictions allow the refuge to accomplish its management goals and provide for the safety of visitors. All programs include a description of the U.S. Fish and Wildlife Service and the Refuge System. All of the programs address a number of wildlife conservation issues such as management, watershed, habitat, wildlife, endangered species, invasive species, etc.

Why is this use being proposed? Permitting this activity would be consistent with the National Wildlife Refuge System Improvement Act, and help accomplish refuge goals and promote understanding, appreciation, and support for its mission.

Availability of Resources:

Approximately 1.5 FTE, or \$80,000, of staff time will be required to administer and manage these activities. In addition, maintenance and improvement of refuge interpretive signs, trails, and visitor center displays will periodically be required.

Trained volunteers provide a valuable service in the Refuge's environmental education and interpretation programs. Volunteers assist with the larger groups so that additional staff are not needed. In some cases with smaller groups, volunteers will conduct the entire program. Every effort is made to meet the needs of the group, within reason. If the number in the group is less than ten or the distance of an off-site location makes it impractical, then a group will be turned down.

Anticipated Impacts of the Use:

Environmental education and interpretation are not expected to have measurable environmental impacts on the refuge, its habitats, or wildlife species.

Disturbance to wildlife is limited to occasional incidents like flushing wildlife (e.g. deer, waterfowl). Restrictions on locations for environmental education and interpretation and the numbers of users will assure minimal disturbance to wildlife and other public use activities.

The activities follow all applicable laws, regulations and policies; including Migratory Bird Conservation Act, Title 50 Code of Federal Regulations, National Wildlife Refuge System Manual, National Wildlife Refuge System goals and objectives, and Horicon NWR goals and objectives. These activities comply with the purpose of the refuge and the National Wildlife Refuge System Mission. Operating these activities does not alter the refuge's ability to meet habitat goals and it helps support several of the primary objectives of the refuge. Environmental education and interpretation are priority public uses listed in the National Wildlife Refuge System Improvement Act.

By facilitating these uses on the refuge, we will increase visitors' knowledge and appreciation of fish and wildlife, which will lead to increased public stewardship of fish and wildlife and their habitats on the refuge and in general. Increased public stewardship will support and complement the Service's actions in achieving the refuge's purposes and the mission of the National Wildlife Refuge System.

Public Review and Comment:

This compatibility determination was part of the Draft Horicon National Wildlife Refuge Comprehensive Conservation Plan and Environmental Assessment, which was announced in the *Federal Register* and available for public comment for 30 days.

Determination:

☐ Use is not compatible
☒ Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

To ensure compatibility with National Wildlife Refuge System and Horicon NWR goals and objectives, environmental education and interpretation can only occur under the following stipulation:

1. Environmental education and interpretation will only occur in developed areas designated

by the CCP or a step-down plan or under the guidance of a refuge staff member, volunteer or trained teacher to assure minimal disturbance to wildlife, minimal vegetation damage, and minimal user conflict between other public uses.

Justification:

Environmental education and interpretation are compatible uses at Horicon National Wildlife Refuge. This determination was made as part of the environmental assessment associated with the comprehensive conservation planning process.

Signature: Refuge Manager: _____
 (Signature and date)

Concurrence: Regional Chief: _____
 (Signature and date)

Mandatory 10- or 15-year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Wildlife Observation and Photography (including the means of access)

Refuge Name: Horicon National Wildlife Refuge, Dodge and Fond du Lac Counties, WI

Establishing and Acquisition Authorities: Migratory Bird Conservation Act of 1929

Refuge Purpose(s):

“...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds...” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? General public access to observe and/or photograph wildlife and refuge habitats including the means of access such as automobile, hiking, bicycling, snowshoeing and cross-country skiing. Since the Auto Tour was paved, non-motorized uses such as rollerblading and scooters have increased. Only leashed dogs are allowed.

Where is the use conducted? Currently, wildlife observation and photography occurs within designated areas of the refuge interior, especially the Auto Tour and Main Dike Road, and along perimeter public roads, especially Highway 49. Other areas currently available for viewing opportunities include the Viewing Area and Interpretive Displays on Highway 49, two hiking trail areas, the Office/Visitor Center, three fishing sites, and seasonally on Old Marsh Road. No forms of boating, (motorized or non-motorized), snowmobiles, or all-terrain vehicles are allowed within the refuge for this use. With the implementation of the CCP and visitor services plan, most of the Refuge is proposed to be open for wildlife observation and photography between December 1 and March 15. In addition, other specific areas of the Refuge would be opened during designated time periods between March 15 and December 1.

When is the use conducted? The uses occur during daylight hours throughout the year. All of the areas, except Old Marsh Road, are open year-round during daylight hours, conditions permitting. Currently Old Marsh Road is open on weekends for hiking and bicycling in June, July, and August. Entry on all or portions of designated routes may be temporarily suspended due to unusual or critical conditions affecting land, water, vegetation, wildlife populations, or public safety.

How is the use conducted? All wildlife observation and photography activities will be conducted with the refuge's primary objectives, habitat management requirements, and goals as the guiding principles. Activities done under these restrictions allow the refuge to accomplish its management goals and provide for the safety of visitors.

Why is this use being proposed? Wildlife observation and photography are priority public uses on National Wildlife Refuge System Lands as identified in the Refuge Improvement Act of 1997. Entry on all or portions of individual areas may be temporarily suspended due to unusual or critical conditions affecting land, water, vegetation, wildlife populations, or public safety. Access to the Refuge for wildlife observation and photography will meet the goals of the Refuge and the Refuge System.

Availability of Resources: Maintenance needs include mowing; controlling weeds; grading roads; upkeep of directional, interpretive, and informational signs; cleaning and upkeep of bathrooms; snow plowing of parking areas; and general maintenance and repair/rehabilitation of existing facilities, gates, roads, and trails.

Improvements to the visitor services areas will also be done as time and money permits, including the addition of bathrooms, the additions of a photo blind, or other similar projects.

These areas also require patrol by Refuge staff for the purpose of visitor assistance and law enforcement.

The Comprehensive Conservation Plan recommends some strategies to improve public access opportunities and increase visitor use. Full implementation of these strategies will require additional staff resources.

Anticipated Impacts of the Use: Currently, wildlife observation and photography cause minor disturbance to wildlife. Overall, the disturbance is limited to a small portion of the entire Refuge. Access is typically by walking (hiking) on established trails. In areas where hiking is permitted off trail, the impact is minimal and temporary. Vehicles and bicycles are only permitted on designated auto tours or public roads that border the Refuge. Snowshoeing and cross country skiing pose no impacts to migrating or nesting waterfowl and little to no impact to the vegetation. The winter disturbance to resident wildlife is temporary and minor. The proposed changes outlined in the CCP to increase wildlife observation and photography would cause only minor disturbance to wildlife because the open areas and designated times would be established with wildlife needs first.

The activities follow all applicable laws, regulations and policies; including Migratory Bird Conservation Act, Title 50 Code of Federal Regulations, National Wildlife Refuge System Manual, National Wildlife Refuge System goals and objectives, and refuge goals and objectives. These activities are compliant with the purpose of the refuge and the National Wildlife Refuge System Mission. Operating this activity does not alter the refuge's ability to meet habitat goals and it helps support several of the primary objectives of the refuge.

Wildlife observation and photography are priority public uses listed in the National Wildlife Refuge System Improvement Act. By facilitating these uses on the refuge, we will increase visitors' knowledge and appreciation of fish and wildlife, which will lead to increased public stewardship of fish and wildlife and their habitats on the refuge and in general. Increased public stewardship will support and complement the Service's actions in achieving the refuge's purposes and the mission of the National Wildlife Refuge System.

Public Review and Comment: This compatibility determination was part of the Draft Horicon National Wildlife Refuge Comprehensive Conservation Plan and Environmental Assessment, which was announced in the Federal Register and available for public comment.

Determination:

- ☐ Use is not compatible
- ☒ Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility: To ensure compatibility with National Wildlife Refuge System and Horicon NWR goals and objectives, wildlife observation and photography can only occur under the following stipulations:

1. All modes of access are limited to designated refuge roads, public roads, hiking trails, and parking lots.
2. Camping, overnight use, fires, horses, unleashed dogs (unless used for small game hunting), all terrain vehicles, boats, canoes, snowmobiles and other motorized conveyances (other than vehicles or motorcycles) are prohibited. Other non-motorized modes of transportation are allowed currently as long as the person is engaged in wildlife observation or photography.
3. No photo or viewing blinds may be left over night.
4. Harassment of wildlife or excessive damage to vegetation is prohibited.

Justification:

Wildlife observation and photography are priority public uses and compatible uses at Horicon National Wildlife Refuge. This determination was made as part of the environmental assessment associated with the comprehensive conservation planning process.

Signature: Refuge Manager: _____

(Signature and date)

Concurrence: Regional Chief: _____

(Signature and date)

Mandatory 10- or 15-year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Haying

Refuge Name: Horicon National Wildlife Refuge, Dodge and Fond du Lac Counties, WI

Establishing and Acquisition Authorities: Migratory Bird Conservation Act of 1929

Refuge Purpose(s):

“...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds...” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? Haying is the cutting and removal of grass, by baling and transporting to an off-refuge location. Haying is conducted by a private party under authority of a Special Use Permit issued by the Refuge Manager.

Where is the use conducted? Areas of grass, typically reed canary grass or wild parsnip, are identified for haying each year. The areas will typically range from 5 to 40 acres.

When is the use conducted? Generally, haying occurs in mid to late summer, after July 15th. Haying earlier in the growing season is avoided due to the potential destruction of ground-nesting birds.

How is the use conducted? Haying is usually accomplished by a mowing device towed by a tractor. Mowed grass is left to air dry and compiled into bales using a separate piece of equipment. All equipment must be clean prior to haying to reduce the potential of spreading noxious or invasive plants from another location.

Why is this use being proposed? Haying can be an effective management tool as part of an overall grassland management plan to improve and maintain grasslands for the benefit of wildlife. Grasslands need periodic renovation to maintain vigor, diversity, and the structure necessary for migratory bird use.

Grasslands on the Refuge can also be invaded by noxious weeds. Typically, the invasive plant, reed canary grass, has been in demand for haying by the local farmers since they use it as feed and/or bedding for their animals.

Haying is an effective alternative for burning or grazing which are two other means used by refuge staff to maintain grassland vigor or reduce invasives. If local site conditions preclude use of prescribed fire due to hazards to neighboring property or a similar problem, removal of accumulated biomass through haying does serve to reduce unwanted overstory, reduce woody plant invasion, etc. Such removal will allow for more vigorous regrowth of desirable species following the haying, although results are not as dramatic as prescribed fire.

Haying may also be used as part of a native grass seeding strategy on old farm fields in need of restoration. Haying of a non-native cool season grass field is an effective step in advance of spraying the field with Round Up or similar chemical designed to kill all existing vegetation. Removal of the heavy grass overstory by haying allows the chemical spray to more effectively treat the target plants. Better removal of the unwanted grasses will in turn ensure better success of the planted native grasses whether they are inter-seeded into the sod or the soil turned over and leveled prior to seeding.

A more limited application for haying involves its use for establishing fire breaks for the prescribed fire program. A permittee would hay the grassland strips in early fall. That area would then green up earlier in the spring and would have no dead overstory biomass, allowing its use as a fire break.

Availability of Resources:

No additional fiscal resources are needed to conduct this use. The needed staff time is already committed and available. Most of the needed work to prepare for this use would be done as part of routine grassland management duties. The additional time needed to coordinate issuance and oversight of the needed Special Use Permit for haying is relatively minor and within existing refuge resources. By permitting haying, the manager has identified a management need. Traditionally, the Refuge has not charged a fee for haying since Refuge staff usually have a management need for the haying.

Anticipated Impacts of the Use:

Haying will result in short-term disturbances and long-term benefits to both resident and migratory wildlife using the refuge. Short-term impacts will include disturbance and displacement typical of any noisy heavy equipment operation. Cutting and removal of standing grasses will also result in short-term loss of habitat for those species requiring tall grasses for feeding and perching such as obligatory grassland species like the bobolink or dickcissel. Long-term benefits will accrue due to the increased vigor of the regrown grasses or the establishment of highly desirable native grass species which will improve conditions for those same species affected by the short-term negative impacts. Longer-term negative impacts may occur to resident wildlife species that would lose overwintering habitat in the hay areas. Strict time constraints placed on this use will limit anticipated impacts to these relatively minor areas.

Public Review and Comment:

Open houses were held and written comments were solicited from the public about refuge operations during the drafting of Comprehensive Conservation Plans. This Compatibility Determination was prepared concurrently with, and included in the Draft Comprehensive Conservation Plan. Public review and comment will be solicited during the CCP comment period.

Determination:

- ☐ Use is not compatible
- ☒ Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

1. Haying will only be allowed after July 15 to minimize disturbance to nesting migratory birds. In normal years, most birds are off the nest by this date.
2. Bales must be removed from the refuge within 2 weeks of baling.
3. Windrowed grass left lying to dry prior to baling must be raked and moved every two days if left on newly seeded native grass and in no cases should remain on the ground more than 6 days prior to baling.

Justification:

Haying will not materially interfere with priority migratory birds if done within the necessary stipulations. Use of haying as a management tool can be a valuable technique for providing longterm habitat improvements to grassland that otherwise would degrade through natural succession or dominance of non-native plants. Without this tool, the areas would suffer encroachment of undesirable woody species or would remain in unwanted non-native cool season grasses such as brome. Use of the areas by trust species such as waterfowl or grassland obligate species such as bobolink, dickcissel, or grasshopper sparrow would slowly decline in the absence of haying or other similar management.

Signature: Refuge Manager: _____

(Signature and date)

Concurrence: Regional Chief: _____

(Signature and date)

Mandatory 10- or 15-year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Research

Refuge Name: Horicon National Wildlife Refuge, Dodge and Fond du Lac Counties, WI

Establishing and Acquisition Authorities: Migratory Bird Conservation Act of 1929

Refuge Purpose(s):

“...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds...” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? The use is research projects conducted by Universities and other academic institutions; government agencies such as the Wisconsin Department of Natural Resources and U. S. Geological Survey (USGS); and private conservation organizations. Research projects will contribute to a better understanding of refuge wildlife and habitat resources, provide information to improve adaptive management decisions, and increase life history information on species of concern.

Written research proposals will be required for review and approval before access will be allowed. If approved, access to refuge lands and waters will be limited to the least invasive means required to accomplish the activities. Research will be carried out by professors, students, contractors, and refuge staff and volunteers. Research results will be used to assist refuge staff in making wise management decisions and to support adaptive management processes.

Where is the use conducted? The use will occur within the Horicon NWR (21,000 acres) and often on adjoining state lands (11,000 acres).

How is the use conducted? Research may be conducted by foot, vehicle, canoe, kayak, airboat, and

aerial methods. Marking of nests and individual animals may be required. The least invasive means required to accomplish objectives will be used.

When would the use be conducted? Research projects may be conducted year round but usually occur from April to November.

Why is this use being proposed?

Research and monitoring information is critical to making sound biological decisions in the restoration and management of ecosystems/landscapes for fish and wildlife communities occurring on national wildlife refuges. It is needed to measure the successes and failures of management efforts. This is an important use with long-term benefits that ensures we have the best information possible upon which to base management decisions.

Availability of Resources:

Some research and monitoring is funded by grants, other government agencies, universities, or conducted by students and volunteers. Refuge staff involvement includes reviewing research proposals, supervising or monitoring research activities, reviewing reports, providing some equipment and vehicles, and occasionally participating in field work. Staff time for development and/or review of research proposals/reports, administration of Special Use Permits, supervision of students and volunteers, maintenance of vehicles, specialized equipment and housing is already available and committed.

Anticipated Impacts of the Use:

Research projects will be evaluated to determine whether the project is aligned with information needs of the refuge and surrounding landscape. Only projects that benefit resource management will be approved to receive a permit or cooperative agreement.

Disturbance or removal of plants and wildlife would be a temporary impact. Repopulation of the removed individuals would be expected to occur over time. Some temporary dispersal of animals around or off the refuge may occur from field activities.

Permit/Cooperative Agreements will be developed to eliminate or minimize impacts to other uses and management activities. Information collected from research project will assist the refuge manager in

fine tuning management activities to maximize productivity of refuge lands.

Public Review and Comment:

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the Federal Register and available for public review.

Determination:

_____ Use is not compatible

 X Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

To ensure compatibility with National Wildlife Refuge System and Horicon NWR goals and objectives the activity can only occur under the following stipulations:

1. Researchers will submit a study proposal and designate specific area(s) on the refuge where activity is to occur.
2. Each project will be evaluated on its merits. All proposals will be reviewed for their potential benefits to future refuge management activities and potential impact(s) to current activities. Permits/Cooperative Agreements will only be issued to those projects which contribute to inventory, monitoring, management impacts, life history needs on species of concern and information needs of the refuge.
3. Coordination will be maintained with the Regional Refuge Wildlife Biologist.
4. A report must be submitted at the end of each field season and at the conclusion of the study.
5. Annually all ongoing activities and operations will be reviewed to ensure compliance with all applicable laws, regulations and policies.

Justification:

This use has been determined compatible provided the above stipulations are implemented. Research and monitoring information is critical to making sound biological decisions in the restoration and management of ecosystems/landscapes for fish and wildlife communities occurring on national wildlife refuges. It is needed to measure the successes and failures of management efforts. This is an important use with long-term benefits that ensures we have the

best information possible upon which to base management decisions.

Signature: Refuge Manager: _____

(Signature and date)

Concurrence: Regional Chief: _____

(Signature and date)

Mandatory 10 or 15 year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Recreational Fishing

Refuge Name: Horicon National Wildlife Refuge, Dodge and Fond du Lac Counties, WI

Establishing and Acquisition Authorities: Migratory Bird Conservation Act of 1929

Refuge Purpose(s):

“...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds...” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? The use is recreational fishing at designated sites on the Refuge. No boats are allowed. All state seasons and regulations apply. Currently only bank fishing is allowed.

Upon revision of the Refuge Fishing Plan, the Refuge proposes to allow ice fishing at the three designated sites. The ice fishing would be allowed within a certain parameter at the site. No permanent ice shanties or motorized access would be allowed.

Where is the use conducted? Fishing activities will be planned and operated with the Refuge’s primary objectives, habitat management requirements, population surpluses, and safety as the guiding principals. Designated fishing sites and parameters will be evaluated and identified within the Fishing Plan.

Currently fishing is offered at Peachy Road, Ledge Road, and Main Dike Road. All of these sites are part of channels of the Rock River, which enters the Refuge on the northern end. Two of the sites, Main Dike Road and Ledge Road, have fishing platforms. The Peachy Road fishing site is planned for improvements with the addition of several fishing platforms, construction of an accessible trail, addition of a two-panel kiosk, and possible addition of a pit toilet.

How is the use conducted? Fishing will be conducted under state and refuge-specific federal regulations. Fishing activities are intended to meet the National Wildlife Refuge System Improvement Act and some of the Refuge objectives and management goals without adversely affecting the primary objectives and mission of the refuge.

Completing this activity under a fishing plan allows the refuge to accomplish its management goals and provide needed safety levels for citizens of the area without adversely affecting refuge habitats and wildlife populations.

When would the use be conducted? The fishing seasons would follow State seasons. The only restriction would be if conditions prevented a road, such as Main Dike Road, being open for vehicle access.

Why is this use being proposed? Fishing is a priority public use on National Wildlife Refuge System Lands as identified in the Refuge Improvement Act of 1997. Fishing will not diminish the primary purpose of the Refuge.

Availability of Resources:

Generally, administration costs will be low. Patrol by law enforcement staff will be necessary. Historically, the fishing sites have had problems with vandalism and dumping, especially at the Peachy Road site. Costs associated with the vandalism could be high. The fishing sites will require mowing, weed whipping, brush/tree removal, and litter pick-up.

Anticipated Impacts of the Use:

Disturbance is a minor and temporary impact. Damage to natural vegetation from off-trail use is another impact. The biggest impact is litter and vandalism.

Public Review and Comment:

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the Federal Register and available for public review.

Determination:

_____ Use is not compatible
 X Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

To ensure compatibility with National Wildlife Refuge System and Horicon NWR goals and objectives the activity can only occur under the following stipulations:

1. All State fishing regulations will apply to fishing on the Refuge unless otherwise stated in the Refuge Fishing Plan.
2. All fishing activities and operations will be reviewed annually to ensure compliance with all applicable laws, regulations, and policies.

Justification:

This use is a priority public use and will not diminish the primary purpose of the Refuge. This recreational opportunity will provide much enjoyment to the people who are in need of a place to fish. In addition, over 100 school-aged children use the three fishing sites every year during the Refuge's fishing expedition, an event that is held in honor of National Fishing Week. The children learn how to fish by rotating through numerous fishing stations in the morning and then spend the afternoon fishing at the sites, putting their newly learned skills to use.

Signature: Refuge Manager: _____

(Signature and date)

Concurrence: Regional Chief: _____

(Signature and date)

Mandatory 10 or 15 year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Permit Archeological Investigations

Refuge Name: Horicon and Fox River National Wildlife Refuges

Establishing and Acquisition Authorities:

Horicon NWR: Migratory Bird Conservation Act of 1929

Fox River NWR: The Refuge Recreation Act of 1962

Refuge Purposes

Horicon NWR: "...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds...." 18 U.S.C. § 715d (Migratory Bird Conservation Act)

Fox River NWR: "... for the development, advancement, management, conservation, and protection of fish and wildlife resources...." 16 U.S.C. 742(a)(4)

Refuge System Mission:

The Mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

- (a) Permitted archeological investigations are those requested by archeologists who are pursuing their own or institutional research or are working for non Fish and Wildlife Service parties that will be conducting authorized undertakings on the Refuge, or as requested by the Governor, under the Antiquities Act or the Archaeological Resources Protection Act (ARPA). (For archeologists employed by or working for the Fish and Wildlife Service under contract, employment or the contract is in lieu of an archeological permit.) Archeological investigations are not priority public uses.
- (b) Permitted archeological investigations would occur on Federally-owned land and on easement land (depending on the nature of the Federal interest on the easement); on lands managed by the Refuge Manager, Horicon

National Wildlife Refuge. Each archeological permit would be for a specific location.

- (c) Archeologists could conduct investigations at any time of the year. Investigations may be as short as a few hours or continue for months, depending on the research objectives. Archeological permits are issued for one year or less, but can be extended year by year.
- (d) The archeologist could use a variety of techniques to conduct the investigation depending on the research objectives. Techniques could involve surface collections of archeological materials and excavations ranging from shovel testing to one or multiple meter pit excavations to machine soil surface stripping to trenching or other authorized methods.
- (e) Archeological investigations occur where the archeological resources are located or where they are likely to be located, or where the authorized undertaking could impact archeological resources. Research archeologists need to conduct their investigations on Refuge land if that is where the resources are located. And when the federally-authorized undertaking occurs on Refuge land, that is where the archeologist must investigate to prevent the Fish and Wildlife Service from breaking historic preservation law.

Availability of Resources:

ARPA/Antiquities permits are received by the Regional Historic Preservation Officer and issued by the Regional Director as part of normal duties.

The Refuge Manager has resources available to administer this use. This activity will require the Refuge Manager to develop and issue a Special Use Permit to the archeologist.

Refuge personnel would be expected to check the progress of the archeological investigation incidental to other Refuge work in the vicinity; i.e., no special on-site visits are anticipated. Refuge personnel costs to administer this permit would be about 0.004 FTE per year.

Anticipated Impacts of the Use:

Short-term impacts would result from the archeologist working in the area: disturbance to wildlife and disruption to vegetation and holes excavated. ARPA permit stipulations require the holes be filled by the archeologist immediately upon completion of testing; and to restore the ground to near-original conditions. Thus no long term direct or indirect impacts would occur. Seasonal access restrictions to avoid disturbance to nesting waterfowl and threatened and endangered species and habitat would be controlled through the special use permit

No cumulative impacts would occur.

Public Review and Comment:

Public information about archeological investigations under permit needs to be restricted due to the potential for vandalism and other inappropriate impacts. Refuge management should not be drawing attention to archeological potential or activities on the Refuge, not for the public or for amateur or professional archeologists. Persons requesting archeological permits do so for specific needs and in the public interest, but not to attract the public to archeological resources on the Refuge. This compatibility determination has been posted at the Refuge headquarters for 14 days.

Determination:

☐ Use is not compatible
☒ Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

Applicant must obtain an Antiquities/ARPA permit from the Regional Director prior to commencing field work. Predetermined stipulations on Antiquities/ ARPA permits and the requirements in 43 CFR Part 7, "Protection of Archaeological Resources: Uniform Regulations," contain protective measures to be accomplished by archeologists.

Applicant must obtain a Special Use Permit issued by the Refuge Manager. The Special Use Permit is to prescribe administrative or management restrictions required by the Refuge Manager.

Justification:

The archeological investigations would be conducted in the public interest for which Federal agencies protect archeological sites; and the results may be included in public interpretive exhibits and other public dissemination. The results of the study could increase Refuge staff understanding of prior human activities on the Refuge and could be part of Refuge interpretive programs. Temporary disruption of habitat and wildlife routine could occur but no long-term harm should come to the natural resources managed by the Refuge.

Signature: Refuge Manager: _____

(Signature and date)

Concurrence: Regional Chief: _____

(Signature and date)

Mandatory 10- or 15-year Reevaluation Date: April 2015

DRAFT COMPATIBILITY DETERMINATION

Use: Hunting

Refuge Name: Fox River National Wildlife Refuge, Marquette County, WI

Establishing and Acquisition Authorities: The Refuge Recreation Act of 1962

Refuge Purpose(s):

“...for the development, advancement, management, conservation, and protection of fish and wildlife resources...” 16 U.S.C. 742(a)(4)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? The use is the hunting of game as an activity conducted by the general public under regulation authority of the National Wildlife Refuge System Improvement Act and the National Wildlife Refuge System. The Fox River Refuge is currently open annually to deer hunting during all State seasons.

Upon revision of the Refuge Hunt Plan, the Refuge may be able to support a limited spring turkey hunt. Squirrel hunting on the Refuge is also a possibility.

Where is the use conducted? Deer hunting by the general public will be conducted under a hunting management program. Hunting activities will be planned and operated with the Refuge’s primary objectives, habitat management requirements, huntable population surpluses, and safety as the guiding principals. Designated hunting areas will be evaluated and identified within the hunt management plan.

In general, hunter access is provided on most of the Refuge. The only areas closed on the Refuge are two small areas that surround houses.

How is the use conducted? Hunting will be conducted under state and refuge-specific federal regulations. Hunting activities are intended to meet the National Wildlife Refuge System Improvement Act and some of the Refuge objectives and

management goals without adversely affecting the primary objectives and mission of the refuge.

Completing this activity under a hunting plan allows the refuge to accomplish its management goals and provide needed safety levels for citizens of the area without adversely affecting refuge habitats and wildlife populations.

When would the use be conducted? The hunting seasons would follow State seasons. Deer season begins in mid-September with archery hunting. All deer hunting would end by the beginning of January. If the Refuge held squirrel hunting, it would begin in mid-September and continue until the end of January. The proposed spring turkey season would be limited to a permit hunt during the early periods.

Details about when, where and how the new hunts are conducted will be defined in the updated hunt management plan. All hunting activities follow applicable state laws, except where the Refuge administers further restrictions to ensure a quality hunt and visitor and staff safety. Hunting activities can only occur in designated areas listed in the hunt management plan.

Why is this use being proposed? The Refuge has a large population of deer, as evidenced by browse lines and other deer sign. By allowing deer hunting, the deer population is kept in balance, deer/car collisions are reduced on the adjacent roads, and many people enjoy the opportunity to hunt on public land. In addition, deer hunting allows the Refuge to achieve the deer population goals set by the Wisconsin Department of Natural Resources. Reaching these goals is critical due to the presence of chronic wasting disease (CWD) in deer within the State.

Availability of Resources:

Approximately \$5,000 of staff time will be required to administer and manage these activities. Most of the cost involves law enforcement, with Refuge officer patrolling the Refuge and issuing notice of violations and warnings. Other staff will participate in outreach efforts by issuing news releases, managing any special hunts, and providing hunter orientations. Some of the costs could be offset by the Recreational Fee Program if a permit program was established.

In addition, overhead expenses including signs, maps, parking lot and road maintenance is estimated to be about \$2,000.

Anticipated Impacts of the Use:

The hunters cause some disturbance to wildlife, but the disturbance is minor and short term. Because most of the hunting occurs in the fall and winter, nesting animals are not disturbed. Disturbance to nesting animals in the spring from turkey hunters will be minimized by restricting the time periods for turkey hunting to the early periods. During the deer gun hunting seasons which attracts the largest number of hunters, most of the migrating waterfowl have left the Refuge. The exception to this rule is when the State offers an October gun T-Zone hunt. Disturbance to waterfowl can be alleviated by closing sensitive areas on the Refuge to this particular hunt.

The few unethical hunters who leave unsightly gut piles in inappropriate places has caused problems in the past. Illegal use of permanent or overnight tree stands, which is common, is an impact when it results in permanent damage to the tree and results in staff time removing the stands. Litter is also a problem, especially with spent shotgun shells during the deer gun season. Illegal use of toxic shot impacts birds that ingest it.

Impact to the vegetation is minimal and temporary. Vehicles are only permitted on certain roads and mowed paths.

Another impact is the killing of animals, which can be perceived as a negative impact by some people.

User groups have conflicted in the past when neighboring landowners have not wanted the Refuge open for deer hunting at all. These landowners want quality deer management, which is managing the deer herd for trophy bucks. The conflicts have subsided over the years, especially with the occurrence of chronic wasting disease.

Hunting on the Refuge follows all applicable laws, regulations and policies; including, 50 CFR, National Wildlife Refuge System Manual, National Wildlife Refuge System goals and objectives, and Horicon NWR goals and objectives. This activity is also compliant with the purpose of the Refuge and the National Wildlife Refuge System Mission. Operating this activity does not alter the refuge's ability to meet habitat goals, provides for the safety of the area's citizens, and supports several of the primary objectives of the Refuge.

Public Review and Comment:

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the Federal Register and available for public review.

Determination:

_____ Use is not compatible
 X Use is compatible with the following stipulations

Stipulations necessary to ensure compatibility:

To ensure compatibility with National Wildlife Refuge System and Fox River NWR goals and objectives the activity can only occur under the following stipulations:

1. All State hunting regulations will apply to hunting on the Refuge unless otherwise stated in the Refuge Hunt Plan.
2. All hunting activities and operations will be reviewed annually to ensure compliance with all applicable laws, regulations, and policies.

Justification:

This use has been determined compatible provided the above stipulations are implemented. This use is being permitted as it is a priority public use and will not diminish the primary purposes of the refuge. This use will meet the mission of the NWRS by providing renewable resources for the benefit of the American public while conserving fish, wildlife and plant resources on these lands.

Without a hunting program specifically used as a management tool, the refuge deer population may adversely affect plant communities, and hence alter ecological diversity and succession. This may result in significant negative impacts on both plant and other animal communities including some of special concern or of Service trust responsibility. This impact has been well documented and accepted through research over a period of many years.

In addition, a deer hunting program is necessary to ensure that the Wisconsin Department of Natural Resources deer populations goals are met, especially in controlling the spread of chronic wasting disease within the State's deer population.

Hunting is a recreational opportunity that will provide much enjoyment to the people who are in need of a place to hunt. In addition, the special hunts

for youth and hunters with disabilities provide a controlled and quality hunting experience.

Signature: Refuge Manager: _____

(Signature and date)

Concurrence: Regional Chief: _____

(Signature and date)

Mandatory 10 or 15 year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Firewood Cutting/Timber Harvest

Refuge Name: Fox River National Wildlife Refuge, Marquette County, WI

Establishing and Acquisition Authorities: The Refuge Recreation Act of 1962

Refuge Purpose(s):

“...for the development, advancement, management, conservation, and protection of fish and wildlife resources...” 16 U.S.C. 742(a)(4)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? The use is the removal of standing or fallen trees by private individuals on the Fox River Refuge. This use covers all wood removal activities regardless of the ultimate use of the wood (e.g. firewood, pulp, etc.).

Where is the use conducted? The scope of the activity will be determined by the management objective for the area and by the quantity and quality of available wood. Harvest sites will vary in size from year to year depending on the site and management objectives.

When is the use conducted? Most of the cutting and wood removal will occur from late summer until late winter, after the nesting season and when the ground is very dry or frozen in order to reduce habitat disturbance. All work will be conducted during daylight hours only.

How is the use conducted? Equipment used for harvest may range from chainsaws and axes, to traditional logging equipment such as feller-bunchers and log skidders. Access may be by car and trailer, pick-up truck, farm tractor, or larger traditional logging equipment. Differences in scope and necessary equipment will occur depending on the amount and type of wood available for removal.

Why is this use being proposed? This activity will only occur where the Service has determined that a

management need exists to remove wood. Wood removal may be done where trees are encroaching on the open marshes or dikes, grassland areas, oak/savannah restoration areas, or removal of fence lines. Wood cutting is not a priority public use, as defined by the Refuge Improvement Act of 1997, of the National Wildlife Refuge System.

Availability of Resources:

Planning, issuing permits, and monitoring a wood product harvest program would require some commitment of staff hours. In the past, the Refuge has issued a few permits annually for this activity. All harvest sites are marked with flagging tape by Refuge staff. Based on past activity, we estimate that administering a small timber harvest program will require about \$1,000 in staff salary costs. Staff time is actually saved by having a wood product harvest program since private individuals will be cutting the trees in many cases instead of staff. Some of these costs will be offset by a \$25 permit issue fee charged to fire wood permittees. By permitting a wood products harvest, the manager has identified a management need and will have secured and prioritized the necessary station resources.

Anticipated Impacts of the Use:

The removal of woody vegetation from historic grassland or sedge habitats positively impacts waterfowl production and the System mission by increasing the amount of nesting habitat and reducing predator habitat. Grassland birds will also be increased by having larger grassland fields without fencelines or encroaching woody vegetation.

Removal of larger trees in grasslands and marsh habitat reduces the fuel and risk factors during prescribed burns.

Some short-term disturbance to wildlife may occur during wood cutting activities, but will be insignificant since most of the work will be conducted after the nesting season or during the winter when most species are not present.

Access for the purpose of removing wood may impact habitat by rutting soils, destroying ground cover, creating weed seed beds, introducing invasive species, and increasing sedimentation due to runoff in nearby wetlands. These impacts can again be avoided by timing of the activity and requiring equipment be cleaned prior to entering the refuge.

Public Review and Comment:

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the Federal Register and available for public review.

Determination:

_____ Use is not compatible
_____ X Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

1. No cutting operations will be permitted from April through July 15 if nesting birds are known to use the site.
2. Standing cavity trees which are actively being used by wildlife will be marked and protected.
3. Vehicle access for wood removal will be limited to existing trails or restricted to the frozen ground period when rutting and damage to growing vegetation would occur.
4. A special use permit will be issued so that site specific impacts can be reduced or eliminated and Service management goals are met.
5. Commercial equipment must be cleaned prior to entering refuge.

Justification:

The removal of dead trees reduces litter buildup and the severity of potential wildfires. Openings created by woodcutting allow light to penetrate and stimulate the understory growth which increases browse production and woodland diversity. Any direct impacts on wildlife production (take, disturbance, etc.) can be largely avoided by timing the activity so that it does not coincide with the breeding/production season.

Impacts to the habitat as a result of access for wood removal purposes are potentially significant, but also easily avoided. Ground disturbance in some areas may actually be desirable due to an improved seedbed that may result. Access to and from these areas will need to be carefully controlled (via special use permit) to avoid impacts such as rutting and increased sedimentation in area wetlands due to run-off. If existing roads are not present, access can be restricted to periods of frozen ground to avoid or minimize impacts to underlying vegetation and soils.

Other indirect impacts are generally considered positive and thus do not materially interfere with or detract from the purpose of the Refuge or the System mission. The removal of trees at strategic locations will benefit waterfowl production by assisting with the restoration of grassland habitat and eliminating predator habitat and perch sites.

Individuals participating in the wood harvest program will be under special use permit and thus site specific stipulations will ensure resource protection and achievement of management goals. Control of woody species encroachment on wetland and grassland habitats is a necessary management activity and directly supports the mission of the National Wildlife Refuge System.

Signature: Refuge Manager: _____
(Signature and date)

Concurrence: Regional Chief: _____
(Signature and date)

Mandatory 10- or 15-year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Environmental Education and Interpretation

Refuge Name: Fox River National Wildlife Refuge, Marquette County, WI

Establishing and Acquisition Authorities: The Refuge Recreation Act of 1962

Refuge Purpose(s):

“...for the development, advancement, management, conservation, and protection of fish and wildlife resources...” 16 U.S.C. 742(a)(4)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? Environmental education consists of public outreach and onsite activities conducted by refuge staff, volunteers, teachers, and university professors. Interpretation occurs in less formal activities with refuge staff and volunteers or through exhibits, signs, and brochures.

Where is the use conducted? Environmental education and interpretation are carried out directly on the Fox River Refuge. Depending on the program, groups would be lead to a specific area. No trails currently exist on the Refuge. A few programs for organizations or clubs would be presented off-site at a meeting place or restaurant. Occasionally the Refuge would display a booth or exhibit at a major event, such as the Milwaukee Sports Show, Mayville Audubon Days, Ducks Unlimited events or other similar events that reach a diverse and large audience.

When is the use conducted? The uses can occur throughout the year. For the general public, they occur mostly in the spring, summer and fall. For students, they occur during the school year, though not generally in the middle of winter. Most programs are conducted during daylight hours, with a few indoor programs conducted in the evening. Occasionally an outdoor program is conducted after dark, for example a nature hike where participants listen for night time wildlife sounds.

How is the use conducted? All environmental education and interpretation activities are conducted with the refuge's primary goals, objectives, and habitat management requirements as the guiding principles. Activities done under these restrictions allow the refuge to accomplish its management goals and provide for the safety of visitors. All programs include a description of the U.S. Fish and Wildlife Service and the Refuge System. All of the programs address a number of wildlife conservation issues such as management, watershed, habitat, wildlife, endangered species, invasive species, etc.

Why is this use being proposed? Permitting this activity would be consistent with the National Wildlife Refuge System Improvement Act, and help accomplish refuge goals and promote understanding, appreciation, and support for its mission.

Availability of Resources:

Because Fox River Refuge has no permanent staff, the environmental education and interpretation for this refuge would be conducted by the Horicon Refuge staff. The demand for this use at Fox River Refuge is not currently high and can easily be absorbed by Horicon staff. However, as demand increases, availability of the Horicon staff will inevitably decrease.

Trained volunteers could provide a valuable service for this use. Volunteers could assist with the larger groups so that additional staff are not needed. In some cases with smaller groups, volunteers could conduct the entire program. Every effort will be made to meet the needs of the group, within reason. If the number in the group is less than ten or the distance of an off-site location makes it impractical, then a group will be turned down.

Maintenance and improvement of refuge interpretive signs, trails, and visitor center displays would periodically be required.

Anticipated Impacts of the Use:

Environmental education and interpretation are not expected to have measurable environmental impacts on the refuge, its habitats, or wildlife species. Disturbance to wildlife is limited to occasional incidents like flushing wildlife (e.g. deer, waterfowl). Restrictions on locations for environmental education and interpretation and the numbers of

users will assure minimal disturbance to wildlife and other public use activities.

The activities follow all applicable laws, regulations and policies; including Migratory Bird Conservation Act, Title 50 Code of Federal Regulations, National Wildlife Refuge System Manual, National Wildlife Refuge System goals and objectives, and Fox River NWR goals and objectives. These activities comply with the purpose of the refuge and the National Wildlife Refuge System Mission. Operating these activities does not alter the refuge's ability to meet habitat goals and it helps support several of the primary objectives of the refuge. Environmental education and interpretation are priority public uses listed in the National Wildlife Refuge System Improvement Act.

By facilitating these uses on the refuge, we will increase visitors' knowledge and appreciation of fish and wildlife, which will lead to increased public stewardship of fish and wildlife and their habitats on the refuge and in general. Increased public stewardship will support and complement the Service's actions in achieving the refuge's purposes and the mission of the National Wildlife Refuge System.

Public Review and Comment:

This compatibility determination was part of the Draft Fox River National Wildlife Refuge Comprehensive Conservation Plan and Environmental Assessment, which was announced in the *Federal Register* and available for public comment for 30 days.

Determination:

☐ Use is not compatible
☒ Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

To ensure compatibility with National Wildlife Refuge System and Horicon NWR goals and objectives, environmental education and interpretation can only occur under the following stipulation:

1. Environmental education and interpretation will only occur in developed areas designated by the CCP or a step-down plan or under the guidance of a refuge staff member, volunteer or trained teacher to assure minimal disturbance to wildlife, minimal vegetation

damage, and minimal user conflict between other public uses.

Justification:

Environmental education and interpretation are compatible uses at Horicon National Wildlife Refuge. This determination was made as part of the environmental assessment associated with the comprehensive conservation planning process.

Signature: Refuge Manager: _____
 (Signature and date)

Concurrence: Regional Chief: _____
 (Signature and date)

Mandatory 10- or 15-year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Haying

Refuge Name: Fox River National Wildlife Refuge, Marquette County, WI

Establishing and Acquisition Authorities: The Refuge Recreation Act of 1962

Refuge Purpose(s):

“...for the development, advancement, management, conservation, and protection of fish and wildlife resources...” 16 U.S.C. 742(a)(4)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? Haying is the cutting and removal of grass, by baling and transporting to an off-refuge location. Haying is conducted by a private party under authority of a Special Use Permit issued by the Refuge Manager.

Where is the use conducted? Areas of grass, typically reed canary grass or wild parsnip, are identified for haying each year. The areas will typically range from 5 to 40 acres.

When is the use conducted? Generally, haying occurs in mid to late summer, after July 15th. Haying earlier in the growing season is avoided due to the potential destruction of ground-nesting birds.

How is the use conducted? Haying is usually accomplished by a mowing device towed by a tractor. Mowed grass is left to air dry and compiled into bales using a separate piece of equipment. All equipment must be clean prior to haying to reduce the potential of spreading noxious or invasive plants from another location.

Why is this use being proposed? Haying can be an effective management tool as part of an overall grassland management plan to improve and maintain grasslands for the benefit of wildlife. Grasslands need periodic renovation to maintain vigor, diversity, and the structure necessary for migratory bird use. Grasslands on the Refuge can also be invaded by

noxious weeds. Typically, the invasive plant, reed canary grass, has been in demand for haying by the local farmers since they use it as feed and/or bedding for their animals.

Haying is an effective alternative for burning or grazing which are two other means used by refuge staff to maintain grassland vigor or reduce invasives. If local site conditions preclude use of prescribed fire due to hazards to neighboring property or a similar problem, removal of accumulated biomass through haying does serve to reduce unwanted overstory, reduce woody plant invasion, etc. Such removal will allow for more vigorous regrowth of desirable species following the haying, although results are not as dramatic as prescribed fire.

Haying may also be used as part of a native grass seeding strategy on old farm fields in need of restoration. Haying of a non-native cool season grass field is an effective step in advance of spraying the field with Round Up or similar chemical designed to kill all existing vegetation. Removal of the heavy grass overstory by haying allows the chemical spray to more effectively treat the target plants. Better removal of the unwanted grasses will in turn ensure better success of the planted native grasses whether they are inter-seeded into the sod or the soil turned over and leveled prior to seeding.

A more limited application for haying involves its use for establishing fire breaks for the prescribed fire program. A permittee would hay the grassland strips in early fall. That area would then green up earlier in the spring and would have no dead overstory biomass, allowing its use as a fire break.

Availability of Resources:

The oversight of this use would be conducted by Horicon Refuge staff. Haying would probably only occur if Refuge staff determines a management need for the grass to be cut. Approximately \$1,000 of staff time would be needed to administer this activity.

Anticipated Impacts of the Use:

Haying will result in short-term disturbances and long-term benefits to both resident and migratory wildlife using the refuge. Short-term impacts will include disturbance and displacement typical of any noisy heavy equipment operation. Cutting and removal of standing grasses will also result in short-term loss of habitat for those species requiring tall

grasses for feeding and perching such as obligatory grassland species like the Bobolink or Dickcissel. Long-term benefits will accrue due to the increased vigor of the regrown grasses or the establishment of highly desirable native grass species which will improve conditions for those same species affected by the short-term negative impacts. Longer-term negative impacts may occur to resident wildlife species that would lose overwintering habitat in the hay areas. Strict time constraints placed on this use will limit anticipated impacts to these relatively minor areas.

Public Review and Comment:

Open houses were held and written comments were solicited from the public about refuge operations during the drafting of Comprehensive Conservation Plans. This Compatibility Determination was prepared concurrently with, and included in the Draft Comprehensive Conservation Plan. Public review and comment will be solicited during the CCP comment period.

Determination:

- ☐ Use is not compatible
- ☒ Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

1. Haying will only be allowed after July 15 to minimize disturbance to nesting migratory birds. In normal years, most birds are off the nest by this date.
2. Bales must be removed from the refuge within 2 weeks of baling.
3. Windrowed grass left lying to dry prior to baling must be raked and moved every two days if left on newly seeded native grass and in no cases should remain on the ground more than 6 days prior to baling.

Justification:

Haying will not materially interfere with priority migratory birds if done within the necessary stipulations. Use of haying as a management tool can be a valuable technique for providing longterm habitat improvements to grassland that otherwise would degrade through natural succession or dominance of non-native plants. Without this tool, the areas would suffer encroachment of undesirable woody species or would remain in unwanted non-

native cool season grasses such as brome. Use of the areas by trust species such as waterfowl or grassland obligate species such as bobolink, dickcissel, or grasshopper sparrow would slowly decline in the absence of haying or other similar management.

Signature: Refuge Manager: _____

(Signature and date)

Concurrence: Regional Chief: _____

(Signature and date)

Mandatory 10- or 15-year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Research

Refuge Name: Fox River National Wildlife Refuge, Marquette County, WI

Establishing and Acquisition Authorities: The Refuge Recreation Act of 1962

Refuge Purpose(s):

“...for the development, advancement, management, conservation, and protection of fish and wildlife resources...” 16 U.S.C. 742(a)(4)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? The use is research projects conducted by Universities and other academic institutions; government agencies such as the Wisconsin Department of Natural Resources and U. S. Geological Survey (USGS); and private conservation organizations. Research projects will contribute to a better understanding of refuge wildlife and habitat resources, provide information to improve adaptive management decisions, and increase life history information on species of concern.

Written research proposals will be required for review and approval before access will be allowed. If approved, access to refuge lands and waters will be limited to the least invasive means required to accomplish the activities. Research will be carried out by professors, students, contractors, and refuge staff and volunteers. Research results will be used to assist refuge staff in making wise management decisions and to support adaptive management processes.

Where is the use conducted? The use will occur within the Fox River Refuge.

How is the use conducted? Research may be conducted by foot, vehicle, canoe, kayak, airboat, and aerial methods. Marking of nests and individual

animals may be required. The least invasive means required to accomplish objectives will be used.

When would the use be conducted? Research projects may be conducted year round but usually occur from April to November.

Why is this use being proposed?

Research and monitoring information is critical to making sound biological decisions in the restoration and management of ecosystems/landscapes for fish and wildlife communities occurring on national wildlife refuges. It is needed to measure the successes and failures of management efforts. This is an important use with long-term benefits that ensures we have the best information possible upon which to base management decisions.

Availability of Resources:

Some research and monitoring is funded by grants, other government agencies, universities, or conducted by students and volunteers. Refuge staff involvement includes reviewing research proposals, supervising or monitoring research activities, reviewing reports, providing some equipment and vehicles, and occasionally participating in field work. Staff time for development and/or review of research proposals/reports, administration of Special Use Permits, supervision of students and volunteers, maintenance of vehicles, specialized equipment and housing is already available and committed.

Anticipated Impacts of the Use:

Research projects will be evaluated to determine whether the project is aligned with information needs of the refuge and surrounding landscape. Only projects that benefit resource management will be approved to receive a permit or cooperative agreement.

Disturbance or removal of plants and wildlife would be a temporary impact. Repopulation of the removed individuals would be expected to occur over time. Some temporary dispersal of animals around or off the refuge may occur from field activities.

Permit/Cooperative Agreements will be developed to eliminate or minimize impacts to other uses and management activities. Information collected from research project will assist the refuge manager in

fine tuning management activities to maximize productivity of refuge lands.

Public Review and Comment:

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the Federal Register and available for public review.

Determination:

_____ Use is not compatible
 X Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

To ensure compatibility with National Wildlife Refuge System and Fox River NWR goals and objectives the activity can only occur under the following stipulations:

1. Researchers will submit a study proposal and designate specific area(s) on the refuge where activity is to occur.
2. Each project will be evaluated on its merits. All proposals will be reviewed for their potential benefits to future refuge management activities and potential impact(s) to current activities. Permits/Cooperative Agreements will only be issued to those projects which contribute to inventory, monitoring, management impacts, life history needs on species of concern and information needs of the refuge.
3. Coordination will be maintained with the Regional Refuge Wildlife Biologist.
4. A report must be submitted at the end of each field season and at the conclusion of the study.
5. Annually all ongoing activities and operations will be reviewed to ensure compliance with all applicable laws, regulations and policies.

Justification:

This use has been determined compatible provided the above stipulations are

implemented. Research and monitoring information is critical to making sound biological decisions in the restoration and management of ecosystems/landscapes for fish and wildlife communities occurring on national wildlife refuges. It is needed to measure the successes and failures of management

efforts. This is an important use with long-term benefits that ensures we have the best information possible upon which to base management decisions.

Signature: Refuge Manager: _____
(Signature and date)

Concurrence: Regional Chief: _____
(Signature and date)

Mandatory 10 or 15 year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Recreational Fishing

Refuge Name: Fox River National Wildlife Refuge, Marquette County, WI

Establishing and Acquisition Authorities: The Refuge Recreation Act of 1962

Refuge Purpose(s):

“...for the development, advancement, management, conservation, and protection of fish and wildlife resources...” 16 U.S.C. 742(a)(4)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? The use is recreational fishing. Upon completion of the Refuge Fishing Plan, the Refuge proposes to allow fishing at designated sites on the Refuge at given times of the year where it does not interfere with wildlife and upon completion of the Fishing Plan. All state seasons and regulations would apply.

Where is the use conducted? Fishing activities will be planned and operated with the Refuge’s primary objectives, habitat management requirements, population surpluses, and safety as the guiding principals. Designated fishing sites and parameters will be evaluated and identified within the fishing plan.

How is the use conducted? Fishing will be conducted under state and refuge-specific federal regulations. Fishing activities are intended to meet the National Wildlife Refuge System Improvement Act and some of the Refuge objectives and management goals without adversely affecting the primary objectives and mission of the refuge.

Completing this activity under a fishing plan allows the refuge to accomplish its management goals and provide needed safety levels for citizens of the area

without adversely affecting refuge habitats and wildlife populations.

When would the use be conducted? The fishing seasons would follow State seasons.

Why is this use being proposed? Fishing is a priority public use on National Wildlife Refuge System Lands as identified in the Refuge Improvement Act of 1997. Fishing will not diminish the primary purpose of the Refuge.

Availability of Resources:

Generally, administration costs will be low. Patrol by law enforcement staff will be necessary.

Anticipated Impacts of the Use:

Disturbance is a minor and temporary impact. Damage to natural vegetation from off-trail use is another impact. The biggest impact would be litter and vandalism.

Public Review and Comment:

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the Federal Register and available for public review.

Determination:

_____ Use is not compatible
☒ X Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

To ensure compatibility with National Wildlife Refuge System and Horicon NWR goals and objectives the activity can only occur under the following stipulations:

1. All State fishing regulations will apply to fishing on the Refuge unless otherwise stated in the Refuge Fishing Plan.
2. All fishing activities and operations will be reviewed annually to ensure compliance with all applicable laws, regulations, and policies.

Justification:

This use is a priority public use and will not diminish the primary purpose of the Refuge. This recreational opportunity will provide much enjoyment to the people who are in need of a place to fish.

Signature: Refuge Manager: _____

(Signature and date)

Concurrence: Regional Chief: _____

(Signature and date)

Mandatory 10 or 15 year Re-evaluation Date: 2021

DRAFT COMPATIBILITY DETERMINATION

Use: Wildlife Observation and Photography (including the means of access)

Refuge Name: Fox River National Wildlife Refuge, Marquette County, WI

Establishing and Acquisition Authorities: The Refuge Recreation Act of 1962

Refuge Purpose(s):

“...for the development, advancement, management, conservation, and protection of fish and wildlife resources...” 16 U.S.C. 742(a)(4)

National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

What is the use? General public access to observe and/or photograph wildlife and refuge habitats including the means of access such as hiking, bicycling, snowshoeing and cross-country skiing. This use would also include the proposal for having a segment of the Wisconsin Ice Age State and National Trail through the Refuge.

Where is the use conducted? Currently, wildlife observation and photography occurs only from County Road F. All access other than deer hunting is currently closed on the Refuge. This use would allow access on the Refuge, with the addition of a possible Ice Age trail as well. Designated areas for this use would be evaluated and identified within a visitor services plan.

When is the use conducted? The use would occur during daylight hours throughout the year. Entry on all or portions of designated areas may be temporarily suspended due to unusual or critical conditions affecting land, water, vegetation, wildlife populations, or public safety.

How is the use conducted? All wildlife observation and photography activities will be conducted with the refuge's primary objectives, habitat management requirements, and goals as the guiding principles. Activities done under these restrictions allow the

refuge to accomplish its management goals and provide for the safety of visitors.

Why is this use being proposed? Wildlife observation and photography are priority public uses on National Wildlife Refuge System Lands as identified in the Refuge Improvement Act of 1997. Entry on all or portions of individual areas may be temporarily suspended due to unusual or critical conditions affecting land, water, vegetation, wildlife populations, or public safety. Access to the Refuge for wildlife observation and photography will meet the goals of the Refuge and the Refuge System.

Availability of Resources: Maintenance needs will include mowing; controlling weeds; upkeep of directional, interpretive, and informational signs; maintenance of parking areas; and general maintenance and repair/rehabilitation of existing facilities, gates, and trails.

These areas also require patrol by Refuge staff for the purpose of visitor assistance and law enforcement.

Anticipated Impacts of the Use: Wildlife observation and photography cause minor disturbance to wildlife. Access would be typically by walking (hiking) on an established trail. In areas where hiking is permitted off trail, the impact would be minimal and temporary. Snowshoeing and cross country skiing pose no impacts to migrating or nesting waterfowl and little to no impact to the vegetation. The winter disturbance to resident wildlife is temporary and minor.

The activities follow all applicable laws, regulations and policies; including Migratory Bird Conservation Act, Title 50 Code of Federal Regulations, National Wildlife Refuge System Manual, National Wildlife Refuge System goals and objectives, and refuge goals and objectives. These activities are compliant with the purpose of the refuge and the National Wildlife Refuge System Mission. Operating this activity does not alter the refuge's ability to meet habitat goals and it helps support several of the primary objectives of the refuge.

Wildlife observation and photography are priority public uses listed in the National Wildlife Refuge System Improvement Act. By facilitating these uses on the refuge, we will increase visitors' knowledge and appreciation of fish and wildlife, which will lead

to increased public stewardship of fish and wildlife and their habitats on the refuge and in general. Increased public stewardship will support and complement the Service's actions in achieving the refuge's purposes and the mission of the National Wildlife Refuge System.

Public Review and Comment: This compatibility determination was part of the Draft Fox River National Wildlife Refuge Comprehensive Conservation Plan and Environmental Assessment, which was announced in the Federal Register and available for public comment.

Determination:

_____ Use is not compatible
_____ X Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility: To ensure compatibility with National Wildlife Refuge System and Fox River NWR goals and objectives, wildlife observation and photography can only occur under the following stipulations:

1. All modes of access are limited to designated areas as specified in the visitor services plan.
2. Camping, overnight use, fires, horses, unleashed dogs (unless used for small game hunting), all terrain vehicles, boats, canoes, snowmobiles and other motorized conveyances are prohibited.
3. No photo or viewing blinds may be left over night.
4. Harassment of wildlife or excessive damage to vegetation is prohibited.

Justification:

Wildlife observation and photography are priority public uses and compatible uses at Fox River National Wildlife Refuge. This determination was made as part of the environmental assessment associated with the comprehensive conservation planning process.

Signature: Refuge Manager: _____
(Signature and date)

Concurrence: Regional Chief: _____
(Signature and date)

Mandatory 10- or 15-year Re-evaluation Date: 2021